

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

WEBSTER BANK, NATIONAL)
ASSOCIATION,)
Plaintiff,) Case No. 08 C 3900
v.)
STEFAN JAKUBIK,) Hon. Amy St. Eve
Defendant.)

INITIAL STATUS REPORT

Plaintiff, Webster Bank, National Association, by and through its attorneys, hereby states the following as its initial status report:

1. The Nature of the Case

- a. Attorneys of record for the Plaintiff, Webster Bank, are Daniel Lynch, lead trial attorney and Amy J. Hansen. The Defendant has not yet been served with process and therefore has no attorney of record.
- b. The basis for federal jurisdiction is diversity of citizenship. Plaintiff is a citizen of the state of Connecticut, Defendant is a citizen of the state of Illinois. The amount in controversy exceeds \$75,000, exclusive of costs and interest.
- c. The claims asserted in the complaint involve: (1) breach of contract arising from non-payment of sums due under a note and (2) fraud stemming from statements made in the loan application for the note.

- d. The major legal and factual issues going to breach of contract and establishing fraud.
- e. At this time, the relief sought by Plaintiff is a judgment against Defendant in an amount to be proved at trial including interest, attorney's fees, costs, expenses believed to be in excess of \$841,830.27.

2. Pending Motions and Case Plan

- a. There are no motions currently pending.
- b. A discovery plan is premature at this point as the Defendant has not yet been served.
- c. The Plaintiff has not requested a jury trial. Plaintiff expects the length of trial to be less than one day. Until the Defendant is served and answers, Plaintiff can not determine when the case will be ready for trial.

3. There cannot be unanimous consent to proceed before a Magistrate Judge, as the Defendant has not yet been served.

4. There have been no settlement discussions.

Dated: August 18, 2008

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Respectfully submitted,
Webster Bank, National Association,

s/ Amy J. Hansen (filed electronically)
By: One of Its Attorneys